

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MONTANA**

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In re )  
 ) No. 15-60651-13  
**THOMAS W. RIDINGS,** )  
 )  
Debtor. )  
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**ORDER**

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At Butte in said District this 29<sup>th</sup> day of December, 2015.

In this Chapter 13 case the Trustee filed a Motion for Order Compelling Turnover of Property of the Estate, filed December 9, 2015. The Trustee's Motion includes notice to the Debtor of the opportunity to respond and request a hearing within 14 days as required by Mont. LBR 1017-1 and 9013-1(d), which provide that if no objections are timely filed the Court may grant the motion, as a failure to respond shall be deemed an admission that the relief requested should be granted. The Trustee's Motion was served on the Debtor and Debtor's attorney, but no response and request for hearing has been filed.

Upon review of the Trustee's Motion and the record, based upon the Debtor's failure to respond after notice and by operation of Mont. LBR 1017-1(a) and 9013-1(e), the Court finds that the Trustee's motion is well taken and should be granted.

**IT IS ORDERED** the Trustee's Motion for Order Compelling Turnover of Property of the Estate, filed December 9, 2015, is **GRANTED**; and the Chapter 13 Trustee is authorized to be substituted as the Plaintiff in the District court action in so that he can administer the proceeds from the claim under the terms of the proposed Plan as property of the estate, in accordance with the Trustee's Motion (Document No. 58).

  
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Honorable Ralph B. Kirscher  
Chief U.S. Bankruptcy Judge